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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,945	07/27/2000	Hulikunta Prahlad Raghunandan	JP9-2000-0176US1	9415
39903	7590	02/16/2005	EXAMINER	
ANTHONY ENGLAND			LERNER, MARTIN	
PO Box 5307			ART UNIT	
AUSTIN, TX 78763-5307			PAPER NUMBER	

2654

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,945

Applicant(s)

RAGHUNANDAN, HULIKUNTA
PRAHLAD

Examiner

Martin Lerner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 14 and 16 to 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 to 14 and 16 to 18 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4 and 6 is/are rejected.
- 7) ☒ Claim(s) 3, 5 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Withdraw Final Rejection/Reopen Prosecution

1. In view of the Appeal Brief filed on 08 July 2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Groner* in view of *White et al.*

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Concerning independent claim 1, *Groner* discloses a speech recognition system for converting voice mail messages to electronic mail messages including a remote control device (telephone device 32 or text display device 44: Figure 1), comprising:

“means to convert speech to text” – in step 58, the voice-to-electronic mail system 30 generates a text message from the audio message from the caller (column 4, line 66 to column 5, line 1; column 7, lines 3 to 13: Figure 4);

“means to transmit the text to the e-mail system” – in step 158, the dialog manager 104 assembles the message header data structure 134 and text file into an e-mail message storage 138 (column 7, lines 13 to 16: Figure 4);

“means to receive the text from the e-mail system” – the electronic mail message is forwarded to the recipient through the electronic mail system (column 3, lines 13 to 18);

“means to convert the received text into speech” – if the caller wants to review the text message, the dialog manager 104 invokes the text-to-speech conversion procedure 136 to recite the text message to the caller (column 10, lines 29 to 34: Figure 3);

“means to select and access the received e-mail in the e-mail system” – using an ordinary electronic mail system and a simple, text display device, the recipient can select messages by sender and subject, and then display them; if the recipient’s display device has audio capability, the recipient may also listen to the message (column 3, lines 22 to 29).

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Concerning independent claim 1, *Groner* discloses "a remote control device" acting as a telephone device 32 or text display device 44 (column 4, lines 20 to 48: Figure 1) for accessing a voice-to-electronic mail system 30, but includes the recited elements within an overall system, and not within telephone device 32 or text display device 44.

However, *White et al.* discloses a distributed voice user interface, where a local device 14 includes a speech recognition engine 40, a speech generation engine 42, and a transceiver 32 (column 6, lines 18 to 24; column 12, lines 14 to 37: Figure 2). A local device 14 acts as a remote control (column 2, lines 56 to 57; column 6, lines 25 to 26) for communicating via a communication network with a remote device system 12.

White et al. teaches an application to synthesizing human speech by "speaking" text, such as that contained in a textual email document. (Column 16, Lines 32 to 36) Thus, *White et al.* suggests a local device ("a remote control") with a speech recognition engine ("means to convert speech to text"), a speech generation engine ("means to convert the received text into speech"), and a transceiver ("means to transmit" and "means to receive"), where an application may include a textual email document.

Technical advantages of implementing a voice user interface at a remote system are to reduce the cost of deploying a sophisticated voice interface at a local device, because incremental cost for each local device is small and can be more easily upgraded and maintained. (Column 2, Line 65 to Column 3, Line 14) It would have been obvious to one having ordinary skill in the art to incorporate means to convert speech to text, to transmit and receive text, and to convert the received text to speech into a remote

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control device as taught by *White et al.* in the speech recognition system and method for converting voice mail messages to electronic mail messages of *Groner* for the purpose of providing a voice user interface with reduced cost and that can be more easily upgraded.

Concerning claim 2, *Groner* discloses that, using an ordinary electronic mail system and a simple text display device, the recipient can select messages by sender and subject, and then display them (column 3, lines 22 to 29).

Concerning claim 4, *Groner* discloses the recipient can select messages by sender and subject ("for selecting email message or folder") (column 3, lines 22 to 29).

Concerning claim 6, *White et al.* discloses telecommunications network 16 connecting local devices 14a, 14b, and 14c with remote system 12 may include cellular systems and one or more infrared links ("linked to the computer through infra-red . . . or radio frequency waves") (column 9, lines 20 to 48).

Response to Arguments

4. Applicant's arguments filed on 08 July 2004 with the Appeal Brief have been considered but are moot in view of the new ground of rejection.

Allowable Subject Matter

5. Claims 8 to 14 and 16 to 18 are allowed.
6. Claims 3, 5, and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 8, 14, and 16, Applicant's argument that each of the independent claims requires all of the elements and method steps to reside within and be performed by a remote control device is persuasive. *Groner* does not disclose all of the elements and method steps reside within and are performed by telephone device 32 or text display device 44. Nor would one having ordinary skill in the art find it obvious to combine *Groner*, *White et al.*, and *Lemaire et al.* to arrive at all of the elements and method steps of independent claims 8, 14, and 16.

Regarding claim 3, Applicant's argument that the combination of *Groner* and *Lemaire et al.* does not suggest all of the limitations of speaking aloud the sender, date, subject, e-mail content, and attachment is persuasive. The combination of *Groner* and *Lemaire et al.* does not expressly disclose all of these elements.

Regarding claim 5, Applicant's argument that the combination of *Groner* and *Atkas et al.* does not suggest the limitations of speaking aloud the summary of an e-mail folder is persuasive. The combination of *Groner* and *Atkas et al.* does not expressly

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disclose reciting a summary of a folder, and one having ordinary skill in the art would not find it obvious to combine *Groner*, *White et al.*, and *Atkas et al.* to arrive at the feature.

Regarding claim 7, Applicant's argument that the combination of *Groner* and *Atkas et al.* does not suggest providing an audio announcement whenever new messages are received is persuasive. *Atkas et al.* may recite a list of messages when a user accesses his mailbox, but does not provide for an audio announcement of messages whenever new messages are received.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Coon et al., Moshfeghi et al., Wise et al., and Wilson disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'mpe'.

ML
2/3/05

A handwritten signature in black ink, appearing to be 'Richmond Dorvil'.

RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER